

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADRIEAN DELANEY, on behalf of himself and other similarly situated,

Plaintiff,

Index No.: 09-cv-1458 (WEP)

v.
GEISHA NYC, LLC d/b/a JAPONAIS,
MIAE LIM, LESTER BURGHER,
RICHARD WAHLSTEDT and
JEFFREY BEERS,

Defendants.

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STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by Plaintiff Adriean Delaney (“Plaintiff”) and Defendants Geisha NYC, LLC, Miae Lim, Lester Burgher, Richard Wahlstedt, and Jeffrey Beers (collectively “Defendants”), by and through their undersigned counsel, that the above-captioned action has been resolved by the Parties. The matter includes claims asserted under the Fair Labor Standards Act and the New York Labor Law, and the resolution includes the payment of monies by Defendants to Plaintiff and opt-in Plaintiffs which includes back wages, liquidated damages, interest, costs and attorneys’ fees.

The parties accordingly agree that the action be and is hereby dismissed, with prejudice, and with no additional award of attorneys' fees or costs by the Court to any party. The

Court has reviewed a Settlement Agreement and General Release and deems it fair, pursuant to the Fair Labor Standards Act § 216(b).

JOSEPH, HERZFELD, HESTER &
KIRSCHENBAUM LLP

/s/ D. Maimon Kirschenbaum
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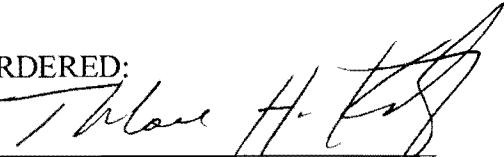
Attorneys for Plaintiff

EPSTEIN BECKER & GREEN, P.C.

/s/ Douglas Weiner
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New York, NY 10177
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Attorneys for Defendants

SO ORDERED:


Hon. Theodore Katz

Dated: August 31, 2011
New York, New York